

REMARKS

All previous claims have been canceled and new claims 28-62 have been added.

Accordingly claims 28-62 are now in the application.

In the Office Action the examiner objected to the recited limitations of numerical value in the claims, saying they are not supported by the specification. Applicants disagree. The effect of the stabilization by using valine only is clearly indicated at Table 2 on page 23 of the specification. The effect of the stabilization by using proline only is clearly indicated at Table 3, on page 26 of the specification.

Further, the examiner objected to the language of former claim 22, saying it did not find support in the specification. The examiner's attention is politely requested to page 6, lines 13-18 of the specification where proline or valine alone are spoken of, with proline recited at concentrations of greater than 100mmol/L. Also, the examiner's attention is politely requested to page 24, lines 13-24 where valine is spoken of at various concentrations, with no mention of proline. There are certainly other instances of either valine or proline being used alone. Thus, the examiner's rejection of claims for not being supported by the specification is not well founded.

Further in the Office action, the examiner has rejected claims over 35 USC 103 using the references Segal 1 and Segal 2, further in view of two Japanese references.

The Japanese references apparently relate to stabilizing enzymes with serum albumin. There seems to be no teaching in these references relevant to the use of valine or proline.

With regard to the examiner's use of Segal 1 and Segal 2, applicants can only find support for the use of proline in these references, and at different concentrations than are recited in applicants' claims and disclosure.

Tables don't support this only valine is in spec. and isolated pbs. in the tables.
not true proline only such cases find no support.

not true.

Neither Segal 1 or 2 disclose the use of valine.

(+) NOT TRUE.

Any mention in either Segal 1 or 2 of proline seems to be at a concentration of 100mmol/l.

As by applicants, the examples of the effect of the stabilization by using valine shown at Table 2, it can be said that the remaining AST and ALT rates on base of BSA are respectively 53% and 32% in case of not adding stabilizing agents. The rates will be increased to 65% and 38% respectively in case of adding valine by 0.5 mmol/l and to 74% and 46% respectively in case of adding valine by 5 mmol/l. And the remaining AST and ALT rates on base of human serum are 41% and 20% respectively in case of not adding stabilizing agents, whereas the rates will be increased to 47% and 28% respectively in case of adding valine by 0.5mmol/l and to 52% and 33% respectively in case of adding valine by 5mmol/l. Similarly the effect of the stabilization by using proline only is shown at Table 3 and the effect of the stabilization by combining valine and proline is shown at Table 4.

As described in Segal 2, proline alone can stabilize ALT at the concentration of 100 mmol/l, however AST is the different enzyme from ALT as EC No., the substrate specificity and the other characteristics are different, accordingly it is regarded that the effect of the stabilization for AST can not be presumed from the examples of Segal 2.

applicants admit on pg. 2 of their spec. that these two enzymes are similar

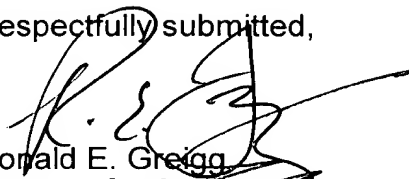
Furthermore in Segal 2, the effect of the stabilization is recognized at the concentration of 100mmol/l but not described under the concentration in the concerned examples. Also the control material is not described.

doesn't have to.

The Commissioner is authorized to charge payment of the filing fees of \$858.00, for seven new independent claims and 15 dependent claims, or any other necessary fees in connection with this communication, to Deposit Account Number 07-2100.

Accordingly, claims 28-62 are believed to be in condition for allowance, and a notice to that effect is respectfully requested.

Respectfully submitted,



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Date: November 21, 2002

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